

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.981 of 2016

Arising Out of PS.Case No. -496 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Birendra Singh @ Birendra Kumar son of Ram Keshwar Singh, resident of
village- Baligawa, P.S.- Nokha, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar Singh, Advocate

For the State : Mr. Nagendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

3 11-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Dehri (T) P.S. Case No.496 of 2015 registered under Sections 467,
468, 479 and 411 of the Indian Penal Code, Sections 4(1-A) and
21(1)DE Act, Section 40(1) B.M.Act and Sections 23, 41 and 42
of the Forest Act.

It is contended that by the learned counsel for the
petitioner, referring to the statement of the Mining Officer,
Mirzapur recorded in paragraph 33 of the case diary, that Prapatra
MM-11 No.AAE/150435 dated 25.10.2015, which has been used
for transportation of stone chips on a vehicle bearing registration

no.JH 10Q/9491 is valid and the Challan is found true.

Learned counsel for the State after going through the case diary concedes that the Mining Officer, Mirzapur has supported the defence of the petitioner but there are other incriminating materials in the present case and the matter is still under investigation and, as such, the petitioner does not deserve pre-arrest bail.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Dehri-on-Sone, Sasaram in connection with Dehri (T) P.S.Case No. 496 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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